

14 2001  
RECEIVED  
U.S. PATENT AND TRADEMARK OFFICE  
**Response To Notice To File Missing Parts Of Application**  
**Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
23355/55

In Re Application Of: **Paul L. Hermonat, et. al.**

Serial No.  
09/927,585

Filing Date  
08/09/01

Examiner

Group Art Unit  
3739

Invention: **Compositions, Methods, Apparatus and Products Using Human Papillomavirus as Marker and Target for Breast Cancer**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
09/14/01  
*Date*

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- \_\_\_\_\_ verified small entity declaration(s)
  - is/are attached.
  - was/were filed on \_\_\_\_\_
- A separate request for refund.
- Other (list):  
**Corrected Formal Drawings**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
23355/55

In Re Application Of: Paul L. Hermonat, et. al.

Serial No. 09/927,585	Filing Date 08/09/01	Examiner	Group Art Unit 3739
--------------------------	-------------------------	----------	------------------------

Invention: Compositions, Methods, Apparatus and Products Using Human Papillomavirus as Marker and Target for Breast Cancer

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Attention: Manager, Application Branch

- Completion of application fees as calculated below:

<input checked="" type="checkbox"/> Utility application filing fee	\$370.00
<input type="checkbox"/> Design application filing fee	
<input checked="" type="checkbox"/> Total number of independent claims = <u>9 - 3 = 6</u>	252
<input checked="" type="checkbox"/> Total number of claims = <u>67 - 20 = 47</u>	\$423.00
<input type="checkbox"/> Multiple dependent claims	
<input type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	
<input type="checkbox"/> Fee for processing and retention of application	

Total completion of application fees \$1,045.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

- One month       Two months       Three months       Four months       Five months

from: 09/14/01      Date until: 12/14/01      Date

Total time extension fees \$55.00

Total fees due \$1,100.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
23355/55

In Re Application Of: **Paul L. Hermonat, et. al.**

Serial No.  
**09/927,585**

Filing Date  
**08/09/01**

Examiner

Group Art Unit  
**3739**

Invention: **Compositions, Methods, Apparatus and Products Using Human Papillomavirus as Marker and Target for Breast Cancer**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Attention: Manager, Application Branch

The fee of **1,100** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.   
A duplicate copy of this sheet is enclosed.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **07-1245**  
A duplicate copy of this sheet is enclosed.



*Signature*

**J.M. (MARK) GILBRETH**  
Reg. No. 33,388

Dated:

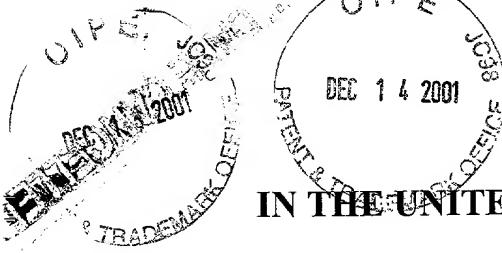
*12-14-02*

I certify that this document and fee is being deposited on [redacted] with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

cc:



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: *Paul L. Hermonat*  
*V. Suzanne Klimberg*  
*Yong Liu* § GROUP ART UNIT: 3739  
§  
§  
§

SERIAL NO.: 09/927,585 §  
§  
§  
§

FILED: August 9, 2001 §  
§  
§  
§

FOR: *Compositions, Methods, Apparatus  
and Products Using Human  
Papillomavirus as Marker and  
Target for Breast Cancer* §  
§  
§  
§

§ ATTORNEY DOCKET NO.: 23355/55

## CERTIFICATE OF MAILING BY EXPRESS MAIL

The Assistant Commissioner of Patents  
**BOX MISSING PARTS**  
Washington, DC 20231

Dear Sir:

I hereby certify that the following documents, which are attached, are being deposited, under 37 CFR 1.10, with the United States Postal Service "Express Mail Post Office to Addressee" service as Express Mail No. EV 041 578 972 US envelope addressed to: The Assistant Commissioner of Patents, **BOX MISSING PARTS**, Washington, DC 20231, on **December 14 2001**.

- (1) A Copy of Notice to File Missing Parts;
- (2) A Response to Notice to File Missing Parts;
- (3) Declaration and Power of Attorney;
- (4) Corrected Formal Drawings;
- (5) Petition for 1 (One) Month Extension;
- (6) Change of Correspondence Address
- (7) Check No. 1936 in the amount of \$55.60 for petition fees; and check No. 1939 in the amount of \$1,100 for filing fees, and;
- (8) Postcard.

Respectfully submitted,

J.M. (Mark) Gilbreth, Reg. No. 33,388  
Attorney for Applicants

Date: December 14, 2001

### CORRESPONDENCE ADDRESS:

GILBRETH & Associates, P.C.  
P.O. Box 2428  
Bellaire, Texas 77402-2428  
(T) 713/667-1200  
(F) 713/667-4424



DEC 14 2001

12-20-01

Sector 4  
Page 1 of 2

H-4

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/927,585	08/09/2001	Paul L. Hermonat	23355/55

## CONFIRMATION NO. 5438

## FORMALITIES LETTER



\*OC000000006553966\*

GILBRETH & ASSOCIATES, P.C.  
P.O. Box 61305  
Houston, TX 77208-1305

Date Mailed: 09/14/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1926.
  - \$1206 for 67 total claims over 20.
  - \$720 for 9 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2766.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

01/09/2002 SSALEEKU 00000001 071245 09927585

01 FC:202 126.00 CH  
02 FC:203 180.00 CH

*A copy of this notice MUST be returned with the reply.*

*Ck*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE